



U.S. Department
of Transportation

Research and
Special Programs
Administration

DEC 17 1999

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 11989
(SECOND REVISION)

EXPIRATION DATE: **November 30, 2001**

(FOR RENEWAL, SEE 49 CFR § 107.109.)

1. GRANTEE: Department of Defense (DOD)
Washington, DC
2. PURPOSE AND LIMITATION: This exemption authorizes the stowage of certain Division 1.1, 1.2 and 1.4 explosives, in the same freight container with Compressed Helium, a division 2.2 material on board vessels of the United States Air Force's Afloat Prepositioned Fleet (APF). This exemption does not provide relief from any regulation other than as specifically stated.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 172.504, 176.83(a), (d) and (f).
5. BASIS: This exemption is based on DOD's application of November 4, 1999, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description -- proper shipping name	Hazard Class/ Division	Identi- fication Number	Packing Group
Bombs, with bursting charge	1.1D	UN0034	II
Fuzes, detonating, with protective features	1.4D	UN0410	II
Fuzes, detonating, with protective features	1.2D	UN0409	II
Helium, compressed	2.2	UN1046	n/a

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7. SAFETY CONTROL MEASURES:

a. PACKAGING - This exemption applies only to guided bombs (GBU) model GBU-24 (utilizing the MK-84 or BLU-109 2,000 pound bomb and model GBU-27 (utilizing the MK-84 2,000 pound bomb) and specifies the manner in which the component parts of each specific mode may be loaded into the same ISO container.

Guided Bomb Model Number	Component Item
GBU-24 (BLU-109)	BLU-109, 2000 pound bomb, 1.1D, UN0034; FMU -143 Fuze, 1.4D, UN0410, WGU-39 guidance control unit containing compressed helium
GBU-24 (MK-84)	MK-84, 2000 pound bomb, 1.1D, UN0034; FMU-139 Fuze, 1.2D, UN0409; WGU-30 guidance control unit containing compressed helium
GBU-27 (MK-84)	MK-84, 2000 pound bomb, 1.1D, UN0034; FMU-143 Fuze, 1.4D, UN0410; WGU-39 guidance control unit containing compressed helium

b. Packaging must be in accordance with the following as detailed in the exemption application.

Component Item	Packaging
BLU-109, 2000 pound bomb	CNU-416/E Shipping and Storage Pallet
MK-84	Standard Bomb Shipping and Storage Pallet
FMU-139/143 Fuzes	Inside barrier bags which are placed within 20mm shipping and storage cans
WGU-39 guidance control unit	CNU-371/E Shipping and Storage Container

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c. Loading, blocking and bracing of the component items must be in 20 foot ISO containers in accordance with: United States Army Defense Ammunition Center and School (USADACS) drawing 19-48-7113-SP15M5, "Loading and Bracing with Wooden Dunnage in Side Opening ISO Containers of Guided Bomb Units, Completer Round (2,000 Pound)". Containers must meet all applicable requirements in Title 49 Part 176.

d. Freight containers subject to the provisions of this exemption need not be placarded with the non-flammable gas placard.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. This exemption serves as a Competent Authority Approval (CA-9711003) issued by the Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration (RSPA), of the United States Department of Transportation, in accordance with Section 22 of the General Introduction to the International Maritime Organization Dangerous Goods (IMDG) Code.

9. MODES OF TRANSPORTATION AUTHORIZED: Cargo vessel.

10. MODAL REQUIREMENTS:

a. The only vessels to which this exemption applies are vessels of the United States Air Force's Afloat Prepositioned Fleet (APF). APF cargo vessels are vessels under the control of the Military Sealift Command that are specially designed and constructed to meet the need for carrying large amounts of military cargoes above and below deck. The vessels are equipped with a system to provide climate control (both temperature and humidity) of the cargo holds and deck spaces to protect the quality of the munitions.

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b. The freight containers transported in accordance with the terms of this exemption must be stowed in cargo holds or spaces of the vessel which are climate-controlled (temperature and humidity).

c. A current copy of this exemption must be carried on board each cargo vessel used to transport the hazardous materials covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Hazardous Materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:



Alan I. Roberts
Associate Administrator
for Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous
Materials Safety, Research and Special Programs Administration,
Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

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